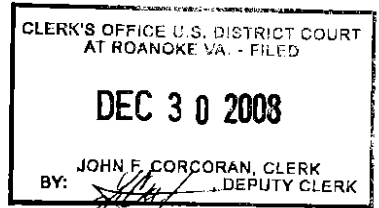


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



NORMAN RATTLIFF, JR.,
Plaintiff,

v.

GERALD MCPEAK, et. al.,
Defendants.

Civil Action No. 7:08-cv-00551

FINAL ORDER

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that plaintiff's motion to amend (Dkt. No. 7, which he styles as his First Amended Complaint) is **GRANTED**, but that the action as amended shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), and stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 30th day of December, 2008.

United States District Judge